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**FISCAL IMPACT STATEMENT**

**LS 6774**

**BILL NUMBER:** HB 1106

**NOTE PREPARED:** Feb 17, 2010

**BILL AMENDED:** Feb 16, 2010

**SUBJECT:** Various Election Law Matters.

**FIRST AUTHOR:** Rep. Battles

**FIRST SPONSOR:** Sen. C. Lawson

**BILL STATUS:** CR Adopted - 2<sup>nd</sup> House

**FUNDS AFFECTED:** X **GENERAL**  
**DEDICATED**  
**FEDERAL**

**IMPACT:** State & Local

**Summary of Legislation:** (Amended) *Seal of Provisional Ballot Materials*- The bill requires the circuit court clerk (CCC) to seal provisional ballots and election material related to provisional ballots during the time allowed to file a verified petition or cross-petition for a recount of votes or to contest an election.

*Inspection of Provisional Ballot Materials*- The bill requires that election material related to provisional ballots (excluding the provisional ballots themselves) be made available for copying and inspection under the access to public records law in the same manner as other election material.

*Vote Center Expiration Date*- The bill extends the expiration date of the vote center pilot project to December 31, 2013.

*Vote Centers*- The bill requires the county election board (CEB) of a vote center county (VCC) to provide preliminary election results, broken down by precinct, not later than noon the day after election day. The bill requires a pilot VCC to establish at least one satellite office for absentee voting. The bill requires that a county's vote center plan must incorporate certain elements.

*Reimbursement of Local Election Expenses by State*- The bill allows a county to seek reimbursement from the Election Division (ED) for expenses incurred in complying with provisions concerning the establishment of at least one satellite office in a vote center pilot county.

*Legislative Body Members*- The bill allows the legislative body of a third-class city having a population of less than 10,000 to adopt an ordinance, after June 30, 2010, and during a year in which an election of the city legislative body will not occur, to redistrict or reduce the number of members of the legislative body. The

bill provides that the legislative body districts created by the ordinance apply to the first election of the legislative body held after the date the ordinance is adopted.

**Effective Date:** July 1, 2010; January 1, 2011.

**Explanation of State Expenditures:** *Reimbursement of Local Election Expenses by State-* Any additional expenditures that would be made under this provision would depend on the funds available. This provision does not provide an appropriation to cover local reimbursement requests. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend on legislative and administrative actions.

**Background-** The ED was appropriated \$897,752 by the General Assembly for FY 2011.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:** (Revised) *Seal of Provisional Ballot Materials-* This provision would impact local expenditures minimally. Clerks would be able to seal provisional ballot materials within existing staff time.

*Vote Center Expiration Date-* Extension of the date of expiration by three years could increase the number of counties that enter vote center status. The impact of this provision is indeterminable and would depend on local action. [Marion County which does not have vote centers had two satellite offices during the 2008 general election with total expenditures of approximately \$112,000.] Tippecanoe County also has had satellite offices in recent past elections.

(Revised) *Legislative Body Members-* If an ordinance were passed to reduce the number of legislative body members, there would be a savings to the city from the expenses incurred by the eliminated body member(s).

(Revised) **Background Information:** *Vote Center Costs-* Tippecanoe County paid their vote center inspectors \$170 per day during the 2007 election, partially to include increased training time (four hours), versus \$160 for a conventional election. Two of the larger expenditures for Tippecanoe County included \$10,750 for electronic polling software and mailing voter postcards at \$12,465.

**Explanation of Local Revenues:** *Mailing of Notices- Penalty Provision:* If additional court actions are filed and a judgment is entered, local governments would receive revenue from court fees. However, any additional revenue is likely to be small.

*Reimbursement of Local Election Expenses by State-* Local revenues could increase by an indeterminable amount depending on the amount of funds available for the ED to reimburse local governments.

**State Agencies Affected:** Election Commission, Election Division.

**Local Agencies Affected:** Precinct election boards, circuit court clerks, county election boards; third-class cities with a population less than 10,000.

**Information Sources:** Indiana State Budget Agency: *General and Rainy Day Fund Summaries, June 30,*

2008; Indiana Office of Secretary of State (Election Division); Linda Phillips, Tippecanoe County Circuit Court Clerk; Angie Nesmeyer, Marion County Election Board; 317-327-5100.

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